

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Fredrick Smith,

Plaintiff,

v.

Daniel Heyns, et al.,

Defendants.

Case No. 12-11373

Honorable Nancy G. Edmunds

**ORDER AND OPINION OVERRULING PLAINTIFF'S OBJECTIONS [47, 57] TO THE
MAGISTRATE JUDGE'S OCTOBER 10, 2012 ORDER AND NOVEMBER 28, 2012
ORDER [45, 56]**

Before the Court are Plaintiff Fredrick Smith's objections to the magistrate judge's October 10, 2012 order deeming Plaintiff's April 24, 2012 motion moot (dkt. 6), deeming Plaintiff's July 2, 2012 motion moot (dkt. 18), deeming Plaintiff's July 11, 2012 motion moot (dkt. 21), denying Plaintiff's August 30, 2012 motion (dkt. 41), granting the U.S. Marshal's May 22, 2012 requests, and directing Defendant Michigan Department of Corrections to provide Morrill and Dreyer's last known addresses to the U.S. Marshal. (Dkt. 45.) Also before the Court are Plaintiff's objections to the magistrate judge's November 28, 2012 order granting Defendants' July 30, 2012 motion to stay discovery (dkt. 21), denying Plaintiff's August 8, 2012 motion to compel discovery (dkt. 33), and staying discovery until further order of the court. (Dkt. 56.)

The Court has referred all pretrial matters in this case to the magistrate judge. (Dkt. 10.) Given that the magistrate judge has issued these order on non-dispositive motions, the

Court may reconsider the orders only if they are shown to be clearly erroneous or contrary to law. *Paul v. Henri-Line Mach. Tools, Inc.*, 10-10832, 2012 WL 6642494, at *3 (E.D.Mich. Dec. 20, 2012) (Cook, J.); 28 U.S.C. § 636(b)(1)(A); Fed.R.Civ.P. 72(a). A "decision is clearly erroneous if although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." *Henri-Line Mach. Tools, Inc.*, 2012 WL 6642494, at *3 (citations omitted).

The Court has reviewed the magistrate judge's orders as well as Plaintiff's objections. The Court finds that the magistrate decisions are not clearly erroneous or contrary to law.

Being fully advised in the premises, the Court overrules Plaintiff's objections (dkt. 47, 57) to the magistrate judge's orders (dkt. 45, 56).

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: January 16, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 16, 2013, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager